

INTERNATIONAL SEARCH REPORT

PCT/GB 03/05472

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61K9/00 A61K9/48

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BIOSIS, EMBASE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	FR 2 750 859 A (MAUREL SANTE) 16 January 1998 (1998-01-16) claims 1-12 page 2, line 6 -page 9, line 2	1-18
X	WO 98/34612 A (PANKHANIA MAHENDRA GOVIND ;BOOTS CO PLC (GB); YURDAKUL SARUHAN (GB) 13 August 1998 (1998-08-13) claims 1,7 page 4, line 5 -page 6, line 28	1,7,14, 15
Y	examples 1,3	1-18
X	US 5 158 777 A (ABRAMOWITZ ROBERT ET AL) 27 October 1992 (1992-10-27) claims 1,6,7 column 2, line 29 -column 4, line 25 example 3	1,14,15
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☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

G document member of the same patent family

Date of the actual completion of the international search

8 April 2004

Date of mailing of the international search report

03/05/2004

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	FUKUI E ET AL: "Studies on applicability of press-coated tablets using hydroxypropylcellulose (HPC) in the outer shell for timed-release preparations" JOURNAL OF CONTROLLED RELEASE, ELSEVIER SCIENCE PUBLISHERS B.V. AMSTERDAM, NL, vol. 68, no. 2, 10 August 2000 (2000-08-10), pages 215-223, XP004228952 ISSN: 0168-3659 abstract page 216, right-hand column, line 20 -page 217, left-hand column, line 26 figures 3,6-8	1,14,15
X	GB 2 195 248 A (PROCTER & GAMBLE) 7 April 1988 (1988-04-07) claims 1,8,10,21 page 2, line 61 -page 4, line 16 page 5, line 56 -page 6, line 55	1,14,15
P,X	WO 02/102356 A (INCHLEY ANDREW JOHN ;BOOTS CO PLC (GB); VAUGHAN KENNETH DONALD (GB) 27 December 2002 (2002-12-27) page 2, line 6 -page 16, line 10 claims 1-14 examples 1-14	1,7-11, 14-18
P,X	WO 03/026612 A (THOMAS MARTIN ;BUNICK FRANK J (US); BURKE JOHN (US); LEE DER-YANG) 3 April 2003 (2003-04-03) claims 1-6 paragraphs '0062!-'0069! paragraphs '0075!,'0076! paragraphs '0106!-'0112!,'0117!	1,15-17
P,X	US 2003/228361 A1 (MCCALL TROY W ET AL) 11 December 2003 (2003-12-11) claims 1,11-17,46-50 paragraphs '0106!,'0107!,'0112!	1,14,15

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Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 1-18 in part
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 1-18 in part

Present claims 1 /2-18 (in part) relate to a product defined by reference to a desirable characteristic or property, namely to comprise

"a non-expanded film material" (see claim 1).

The claims cover all products having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such products. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the product by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the products having a film or coating

-comprising hydroxypropyl methylcellulose (see claim 15)

-comprising modified cellulose material (see claim 1 b) and page 5, line 22 up to page 4, line 11).

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

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